



April 23, 2007

## **H.R. 518 – International Solid Waste Importation and Management Act of 2007**

### **Floor Situation**

H.R. 518 is being considered on the floor under suspension of the rules and will require a two-thirds majority vote for passage. The bill was introduced by Representative John Dingell (D-MI) on January 17, 2007. The House Committee on Energy and Commerce approved H.R. 518 by voice vote on March 29, 2007.

The bill is expected to be considered on the floor on April 24, 2007.

*\*Note: During the 109<sup>th</sup> Congress, Rep. Gillmor (R-OH) introduced similar legislation, H.R. 2491, that passed the House of Representatives by voice vote on September 9, 2006. The bill was received by the Senate but no action was taken.*

### **Summary**

H.R. 518 amends the Solid Waste Disposal Act to permit states to pass laws or write regulations limiting the transportation and disposal of municipal solid waste from other countries. Due to judicial precedents, states must explicitly be granted this right by Congress because trash is considered an international commodity.

H.R. 518 also authorizes and directs the Administrator of the Environmental Protection Agency to implement and enforce the Agreement Concerning the Transboundary Movement of Hazardous Waste between the United States and Canada, which was signed in 1986. Under the bill, the EPA must issue the final regulations for this Agreement within 24 months. H.R. 518 prohibits persons from violating the Agreement and allows the EPA to levy fines of up to \$25,000 per day against violators.

States are granted the authority to limit foreign trash until the EPA issues its final regulations.

*\*Note: H.R. 518 specifically excludes the authority for states to regulate transportation and disposal of municipal solid waste produced in another state.*

### **Background**

Many states along the northern border of the U.S., in particular Michigan, receive municipal solid waste from Canada, which has raised homeland security, environmental and public safety

concerns. According to Michigan lawmakers (all of whom are co-sponsors of the bill), 300 to 400 garbage trucks cross from Canada into Michigan every day.

**Additional Views**

USTR and the State Department have raised concerns that H.R. 518 would violate international trade rules and could indirectly increase the disposal of hazardous waste in the United States by provoking reciprocal action by countries to which the U.S. exports hazardous waste.

**Cost**

The CBO estimates that implementing H.R. 518 would cost about \$2 million in 2008 and approximately \$6 million from 2008-2012. Although H.R. 518 would impose private-sector mandates on companies involved in the importation, exportation, and disposal of solid waste, the cost of these mandates cannot be determined until the final regulations are issued.

**Staff Contact**

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